



BUSINESS, CONSUMER SERVICES, AND HOUSING AGENCY • GAVIN NEWSOM, GOVERNOR  
**Board of Vocational Nursing and Psychiatric Technicians**  
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## EXECUTIVE COMMITTEE MEETING MINUTES

November 4, 2021

2535 Capitol Oaks Drive  
Administrative Conference Room  
Sacramento, CA 95833  
Via WebEX

**Board Members Present:**

Dr. Mountain, President, Chair  
Mr. Dierking, Vice President

**Staff Present:**

Ms. Yamaguchi, Executive Officer  
Ms. Lyman, Assistant Executive Officer  
Ms. Wood, Enforcement Chief  
Ms. Raney, Licensing Chief  
Ms. Brown, Licensing Division Manager  
Ms. Cordeiro, Supervising Nursing Education Consultant  
Mr. Birkman, Supervising Program Technician II  
Ms. Maracino, Education Analyst  
Ms. Pires, Legislation and Regulations Specialist  
Ms. Saavedra, Budget Analyst

**DCA Staff:**

Mr. Swenson, Board Counsel

Please note: The WebEx recording content is available upon request.

1. Call to Order (00:11–00:17)  
Dr. Mountain called the meeting to order at 1:00 pm.
2. Operations Report – Ms. Lyman (00:18–01:59)  
Ms. Lyman discussed the new COVID testing site located at DCA HQ1 Hearing room 102. Testing is scheduled every Thursday from 8 a.m. to 12 p.m. Managers from BVNPT will be assisting at the testing site periodically throughout the testing period. She announced that we had a Licensing and Administrative Chief, Ms. Candace Raney.

**Board Discussion:** None  
**Public Comment:** None

3. Enforcement Division Report – Ms. Wood (02:04-05:07)

Ms. Wood announced that there are under 1000 cases currently in the complaint unit, including the Division of Investigation (DOI) and the Intake and Enhanced Screening Unit. The team discussed two pieces of potential legislation that would give licensees the ability to retire their licenses and exploring the possibility of changing expirations from four years for a non-renewal to two years.

**Board Discussion:** Dr. Mountain asked if there would be a choice to have an inactive license because this is a process at the Board of Registered Nursing (BRN). Ms. Wood replied that BVNPT licensees currently have the ability to make their license inactive through Breeze.

Ms. Wood explained that the board can still open a case on an inactive license if a complaint is filed, but if the license was retired, no case would be opened.

**Public Comment:** None

4. Education Division Report – Ms. Cordeiro (07:58-20:23)

Ms. Cordeiro provided the Education Division Report. She described the memo BVNPT's Executive Officer sent to all program directors on April 30, 2020 regarding clinical sites. Schools and programs created temporary plans that would safeguard students and staff during the pandemic, but still allow for the students to make progress in their programs. While some programs have already returned to their original approved Instruction plans, some have expressed the need to extend their COVID contingency plan a bit longer. The NECs request that the board extend flexibility until July 1, 2022. Ms. Cordeiro reiterated that the programs need to transition back to their original instructional plans as soon as possible.

Ms. Cordeiro discussed the approval of school programs. The Legislature directed BVNPT to implement a process to move the waitlist of 55 proposed programs. A new process will begin in January 2022 and will be accepting new letters of intent for programs and sending out information packets to the proposed programs. Starting March 1, 2022, the 20 proposed programs that were on the waitlist prior to December 31, 2019 will be assigned to an NEC and must then submit a complete application. Furthermore, when a proposed program submits an application, the program must submit an initial application fee of \$5,000 with their paperwork, and when and if the program is presented to the EO for review and approval, the remaining \$15,000 fee must be paid in full by the program before they can admit their first cohort.

Ms. Cordeiro discussed the administration of medical cannabis in schools. She briefly described a recent letter requesting an opinion by the board regarding the administration of medical cannabis to a patient on a school campus by a Vocational Nurses (VN), and whether it can be construed as misconduct by a

VN. The Supervising Nursing Education Consultant opined that the licensee would not be violating the scope of practice; therefore, would not be subject to disciplinary action, as the administration of the cannabis-based medication would be like any other medication. It must be specific to the patient, and ordered by a medical doctor, and the nurse will need training on its correct administration.

Mr. Swenson clarified that the initial request was for an informal scope of practice guidance by Supervising Nursing Education Consultant. This matter was taken up at the Education and Practice committee with a motion to refer the matter to the full board for consideration of adopting a precedential decision based on the informal practice guidance to be presented at the November 19, 2021 board meeting. If the precedential decision is adopted, it would be something the board and the public could rely upon and would take place in the interim for the need to promulgate regulations. So long as the procedures for publishing it as a precedential decision are followed, and the board adopts, it could be used in lieu of a regulation.

**Board Discussion:** None

**Public Comment:** None

5. Licensing Report – Ms. Raney, Ms. Brown (20:28-26:07)

Ms. Brown provided the Licensing report and staffing updates. Currently, there are five licensing technician vacancies; two were internal promotions, one technician left state service, and two technicians who accepted promotional positions at other agencies. Two new licensing technicians are scheduled to start on November 15, 2021 and will conduct interviews for the remaining three vacancies as soon as possible. Additionally, there is a Supervising Program Technician (SPTII) vacancy that hopefully will be filled by the end of 2021. The previous SPTII, Mr. Brent, accepted a promotional offer at another agency and his last day was October 29, 2021. Even with the vacancies, the board's processing times are still looking good, and phone time continues to be excellent.

Ms. Raney discussed the emergency regulations which pertain to the implementations of the provisions of AB 1536, as they relate to new school program approval process. Executive staff has been working diligently with the assistance of several staff members, and legal counsel to create and post informative bulletins related to the new school approval process. Bulletins One (1) and Two (2) have been posted to the board's website and are currently available.

Ms. Raney discussed the fee increase regulations, stated that she is working closely with Regulations Counsel on this matter.

**Board Discussion:** None

**Public Comment:** None

6. November Board Meeting – Ms. Yamaguchi (26:10-29:26)

Ms. Yamaguchi updated the committee members on the agenda for the November 19, 2021, board meeting.

**Board Discussion:** None

**Public Comment:** None

7. Board Member Accountability (29:27-32:21)

- a. Ballots
- b. Training and Compliance

**Board Discussion:** None

**Public Comment:** None

8. Next Meeting (32:22-33:23)

Next Executive Committee Meeting on December 2, 2021.

9. Suggestions for Future Agenda Items (33:32-35:50)

Discussion of NCSBN’s findings that 2021 has been the lowest year for applicants to take the NCLEX in the last ten years. Reference back to the Education and Practice Committee as well the Executive Committee.

**Board Discussion:** None

**Public Comment:** None

10. Adjournment (35:52-36:02)

Dr. Mountain adjourned the committee meeting at 1:37 pm.

Prepared by: \_\_\_\_\_ Date: \_\_\_\_\_

**Elaine Yamaguchi**

Executive Officer

Approved by: \_\_\_\_\_ Date: \_\_\_\_\_

**Dr. Carel Mountain, Education Member**

Board President